

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION

TOMMY E. LAMPLEY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 3:03 CV 338
	)	
	)	
DAN R. MCBRIDE, et. al.,	)	
	)	
Defendants	)	

MEMORANDUM and OPINION

This matter is before the court on the Motion for Sanctions filed by the plaintiff, Tommy Lampley, on May 31, 2005. For the reasons set forth below, this motion is **DENIED**.

Background

In this motion, the plaintiff seeks sanctions against the defendants for failing to respond to numerous filings by him over the course of this proceeding.

Discussion

First, the court notes that all of the filings that form the basis of the plaintiff's current motion for sanctions have been ruled on by the court. Second, many of the motions filed by the plaintiff, such as motions for appointment of counsel, required no response from the defendants. Third, the court has already entered summary rulings in favor of the plaintiff on several other motions of which the plaintiff complains, such as various motions to compel. If anything, the defendants' lack of response has benefitted, rather than harmed the plaintiff, in these

instances. Finally, the court denied several of the plaintiffs discovery motions because they sought relief outside the Federal Rules of Civil Procedure. On May 24, 2005, this court even ordered the plaintiff not to file any more motions to conduct discovery, as discovery closed on July 15, 2005. The court notes that four of the plaintiff's discovery-related motions were filed after this cut-off. Under these circumstances, sanctions are totally unwarranted.

For the reasons set forth above, the Motion for Sanctions filed by the plaintiff, Tommy Lampley, on May 31, 2005 is **DENIED**.

ENTERED this 11<sup>th</sup> day of July, 2005

s/ ANDREW P. RODOVICH  
United States Magistrate Judge